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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/774,885	02/01/2001	Scott Keller	Q62892	3182

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SUGHRUE, MION, ZINN,  
MACPEAK & SEAS, PLLC  
2100 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, DC 20037-3213

EXAMINER
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DO, ANH HONG

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 01/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/774,885

Applicant(s)

KELLER ET AL.

Examiner

ANH H DO

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☒ Claim(s) 8-10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 3 is objected to because of the following informalities: "receive" in line 3 should be written as "receiving". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Hiyama et al. (U.S. Patent No. 6,269,379 B1).

Art Unit: 2624

Regarding claim 1, Hiyama discloses an image storage and display system comprising an image server 5 storing image data recorded on a high readout-speed capable storage medium 23, and a display terminal 6 connected to said image server 5 via a network (Fig. 1), wherein:

- said image server 5 is provided with a storage control means 25 that creates reversible compressed image data of the original image data, and at least one irreversible compressed image data, and stores in storage medium 23 said original image data, said reversible compressed image data and said irreversible compressed image data, which stand for the multiple versions of image data (Fig. 1);
- said display terminal 6 is provided with an input means 31 capable of receiving specification of the version of the image data or the image data group to be displayed on said display terminal 6 (or 35), and acquisition means 32 for acquiring the version of said image data or said image data group received in said input means 31 (Fig. 1).

Regarding claim 2, Hiyama teaches changing the compression ratio of said irreversible compressed image data (Fig. 1: controller 26 for controlling the LAN controller 21, memory 22, hard disk driver 24, and compressor 25, which inherently controls the compression ratio of said irreversible compressed image data created by compressor 25).

Regarding claims 3 and 4, Hiyama teaches:

Art Unit: 2624

- said input means 31 is capable of receiving specification of the version of image data as the image usage purpose represented by each version of said image data (col. 7, lines 1-4, teaches management information of the version of image data consists of an examination identification number 71 (corresponding to the image usage purpose represented by each version of the image data));
- said storage control means assigns to each version a parameter representing the image usage purpose represented by each version of image data (col. 11, lines 51-62, teaches a parameter is assigned to each version of the image data), and stores each version of image data in the storage medium (Fig. 1: hard disk 23);
- said acquisition means 32 acquires the version of the image data corresponding to the desired image usage purpose received in said input means 31 (Fig. 1).

Regarding claim 5, Hiyama teaches:

- said storage control means 25 obtains said irreversible compressed image data by subjecting said original image data to a progressively extractable data compression process (Fig. 1);
- said acquisition means 32, for cases in which the version received in said input means 31 corresponds to irreversible compressed image data, changes the progressive expansion level of said irreversible compressed image data, according to the predetermined conditions, and acquires said irreversible compressed image data (Fig. 1: stretcher 33 for changing the progressive

expansion level of said irreversible compressed image data, according to the predetermined conditions).

Regarding claim 6, Hiyama teaches:

- said storage control means 25 stores in said storage medium 23 said multiple versions of image data along with the original image data diagnosis information (Fig. 1 and col. 13, lines 37-38, teaches diagnosis information);
- said acquisition means 32 acquires the versions of image data and image data groups along with said diagnosis information received in input means 31 (Fig. 1).

Regarding claim 7, Hiyama teaches:

- said image server 5 is provided with a diagnosis-status management means 36 for managing the diagnosis status of said original image data (Fig. 1);
- said storage control means controls, according to said diagnosis status, which versions of image data are acquired at said display terminal 6 (Fig. 1 and col. 13, lines 38-41, teaches a plurality of versions of image data are retrieved according to a plurality of parameters of retrieval (i.e., the diagnosis status) at the viewing monitor 35 in the display terminal 6).

### ***Allowable Subject Matter***

3. Claims 8-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit: 2624

4. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claims 8-10, the prior art, either taken singly or in combination, does not teach:

- deleting the original image data and the reversible compressed image data from high readout-speed capable storage medium after a predetermined period of time has elapsed.


#### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANH H DO whose telephone number is 703-308-6720. The examiner can normally be reached on 5/4-9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DAVID K MOORE can be reached on 703-308-7452. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

December 29, 2003.

  
ANH HONG DO  
PATENT EXAMINER